## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS

CAPITOL SPECIALTY INSURANCE	)
CORPORATION,	
Plaintiff,	)
V.	) Cause No. 09-cv-92-JPG
CHARLES WHITAKER, RODNEY MOORE, and MICHAEL TAYLOR,	) ) )
Defendants.	)

## **JUDGMENT**

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision,

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of plaintiff Capitol Specialty Insurance Company and against defendants Charles Whitaker, Rodney Moore and Michael Taylor; and

## IT IS FURTHER DECLARED that

- Plaintiff Capitol Specialty Insurance Company has no duty under the insurance policy No. CS00322809 to defend either defendant Charles Whitaker or defendant Rodney Moore against any of the allegations made in the Petition in the underlying case, *Taylor v. Whitaker*, No. 2008 L 9 (Ill. Cir. Ct. Alexander Co.); and
- Plaintiff Capitol Specialty Insurance Company has no duty under the insurance policy No. CS00322809 to indemnify either defendant Charles Whitaker or defendant Rodney Moore for any liability they may have based on the Petition in the underlying case, *Taylor v. Whitaker*, No. 2008 L 9 (Ill. Cir. Ct. Alexander Co.).

DATED: September 10, 2009 JUSTINE FLANAGAN, Acting Clerk

s/Brenda K. Lowe, Deputy Clerk

**Approved:** s/ J. Phil Gilbert

J. PHIL GILBERT DISTRICT JUDGE